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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EVAMARIE MILLER,

Defendant.

Case No. 2:22-CR-0162-TOR-4

UNITED STATES SENTENCING
MEMORANDUM

Plaintiff, United States of America, by and through Vanessa R. Waldref,

United States Attorney for the Eastern District of Washington, and Caitlin

Baunsgard, Assistant United States Attorney for the Eastern District of

Washington, respectfully submits the following Sentencing Memorandum.

A. THE PSIR.

As noted in its Notice of Review, the United States has no objections to the PSIR. *See ECF. 93.* The United States is not aware of any pending objections from the Defendant. The United States asks the Court to adopt the PSIR without change.

1 **B. SENTENCING RECOMMENDATION:**

2 Consistent with the Plea Agreement, the 18 U.S.C. § 3553(a) factors, as well
3 as the purposes and goals of sentencing, the United States recommends a term of
4 incarceration of 60 months as a sufficient but not greater than necessary sentence
5 for this Defendant.

6 The Defendant is before the court for a serious offense. As outlined in the
7 PSIR, the Defendant was in the passenger seat of a vehicle with her significant
8 other, co-defendant Gage FORSBERG, when agents arrived to arrest FORSBERG
9 stemming from his sale of fentanyl-laced pills to an undercover agent. After
10 initially trying to flee in the vehicle, the vehicle was ultimately stopped, and the
11 occupants contacted. Of relevance here, the Defendant was seated in the passenger
12 seat of the vehicle with a large bag of fentanyl-laced pills sitting next to her.
13 Additionally, there were multiple loose pills strewn throughout the vehicle, to
14 include under the Defendant's person. More packaged fentanyl-laced pills were
15 ultimately located in the area of the Defendant's feet, as well a loaded firearm.

16 The Defendant comes before the Court without any significant criminal
17 history. The PSIR notes the Defendant had a difficult childhood and has been on
18 her own for several years. Survival and feeding her addiction certainly became her
19 priorities. It is clear the Defendant is intelligent and if she applied her efforts to
20 lawful activities, she would not doubt be successful.

1 The Defendant, even more so than others, at age 21, is at an important cross-
2 roads in life. In the Bureau of Prisons and while under US Probation supervision,
3 she will be offered a multitude of resources and educational opportunities. If she
4 chooses to take advantage of those opportunities, she will likely flourish upon her
5 release. She could also choose to not take these opportunities seriously, and
6 double down (so to speak) on her current lifestyle, she will undoubtedly either be
7 caught or end up overdosing on fentanyl and becoming nothing more than a
8 statistic. The choice is entirely hers. She has the abilities to change her life, if she
9 wants to.

10
11 Based on the totality of the circumstances, the United States asks the Court to
12 sentence the Defendant as recommended.

13
14 DATED this 8th day of June, 2023.

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17 Vanessa R. Waldref
18 United States Attorney

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20 s/Caitlin Baunsgard
21 Caitlin Baunsgard
22 Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following, and/or I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participant(s):

Greg Lockwood

s/Caitlin Baunsgard
Caitlin Baunsgard
Assistant United States Attorney